

REMARKS

Paragraph 23 in the specification has been Amended to include a feature (i.e., diode 44 is electrically connected in parallel with the LC tank circuit 39 and the drive circuit 37) that is clearly shown in FIG. 3. No new matter has been added.

The Examiner objected to claims 7 and 14. In response, Applicant has amended claims 7 and 14 as suggested by the Examiner.

The Examiner objected to claims 2-4, 6-9, 12-14 and 16-19 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant gratefully acknowledges the Examiner's indication of allowable subject matter. In response, Applicant has amended claims 2 and 12 and therefore Applicant respectfully believes that claims 2 and 12 are in condition for allowance. Since claims 3-4 and 6-10 depend from claim 2 and claims 13-14 and 16-20 depend from claim 12, Applicant contends that claims 3-4, 6-10, 13-14, and 16-20 are likewise in condition for allowance.

The Examiner rejected claims 1, 5, 10, 11, 15 and 20 under 35 U.S.C. 102(b) as allegedly being anticipated by Zhang et al. (US 6,778,022).

Applicants respectfully traverse the §102 and rejections with the following arguments.

35 U.S.C. §102

The Examiner rejected claims 1, 5, 10, 11, 15 and 20 under 35 U.S.C. 102(b) as allegedly being anticipated by Zhang et al. (US 6,778,022).

The Examiner alleges that " With regard to claims 1 and 11, Zhang et al. discloses in Figs. 2A-6 a voltage controlled oscillator circuit, and a method of use thereof, comprising a drive circuit (20, 2200); an inductor/capacitor (LC) tank circuit, the LC tank circuit and the drive circuit collectively comprising a first oscillating node (270) and a second oscillating node (280), the first adapted to have a first voltage, oscillating node being the second oscillating node being adapted to have a second voltage; and a diode (262, 264) adapted to control an amplitude of the first voltage and an amplitude of the second voltage".

As to claims 1 and 11 as amended, Applicant respectfully contends that Zhang does not anticipate claims 1 and 11, because Zhang does not teach each and every feature of claims 1 and 11. For example, Zhang does not teach the feature of "a diode electrically connected to and in parallel with the LC tank circuit and the drive circuit" (emphasis added). Zhang does not teach a diode electrically connected in parallel with an LC tank circuit and a drive circuit as taught by applicant's claims 1 and 11. In contrast, Zhang teaches in fig 2A a capacitor (C1) connected to a drive circuit (FET 20). Applicant contends that the capacitor C1 in Zhang is not electrically connected in parallel with an LC tank circuit (240 and 240 in Zhang, fig 2A) and a drive circuit. Therefore, Applicants contend that Zhang does not teach a diode electrically connected in parallel with an LC tank circuit and a drive circuit as taught by Applicant's claims 1 and 11. Based on the preceding arguments, Applicants respectfully maintain that Zhang does not

10/707,177

11

anticipate claims 1 and 11 and that claims 1 and 11 are in condition for allowance.

10/707,177

12

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0456.

Date: 04/15/2005

Jack P. Friedman
Jack P. Friedman
Registration No. 44,688

Schmeiser, Olsen & Watts
3 Lear Jet Lane, Suite 201
Latham, New York 12110
(518) 220-1850